

WEDNESDAY, MARCH 11, 1998
SEVENTY-SECOND LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Brad Carmon, James Street Church of Christ, Union City, Tennessee.

Representative Pinion led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 92

Representatives present were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, Miller, Mumpower, Newton, Odom, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Winningham, Wood, Mr. Speaker Naifeh -- 92.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Sands; personal reasons

Representative Kerr; business reasons

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Rep. Burchett was recognized in the Well to present the Achievement of Honor Award to Peyton Manning.

RESOLUTION READ

The Clerk read House Joint Resolution No. 434.

PRESENTATION OF AWARD

Speaker Naifeh presented the Honor of Achievement Award to Peyton Manning.

RECOGNITION IN THE WELL

Rep. Brown was recognized in the Well to introduce professional social workers.

RULES SUSPENDED

Rep. Brown moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 561 out of order, which motion prevailed.

House Joint Resolution No. 561 -- Naming and Designating -- Professional Social Work Month, March 1998. By *Brown.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Brown, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes 96
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

SPECIAL ORDER

Rep. Maddox moved that House Joint Resolution No. 574 be removed from today's Consent Calendar and be reset to the Consent Calendar for March 18, 1998, which motion prevailed.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 426: Rep(s). Turner(Hamilton) as prime sponsor(s).

House Bill No. 530: Rep(s). Haley, Hargett and Pleasant as prime sponsor(s).

House Bill No. 1016: Rep(s). Walley as prime sponsor(s).

House Bill No. 1122: Rep(s). Buck as prime sponsor(s).

House Bill No. 1588: Rep(s). Dunn and Brown as prime sponsor(s).

House Bill No. 1780: Rep(s). Hargrove as prime sponsor(s).

House Bill No. 1899: Rep(s). Givens and Davidson as prime sponsor(s).

House Bill No. 2100: Rep(s). Bone as prime sponsor(s).

House Bill No. 2198: Rep(s). Goins as prime sponsor(s).

House Bill No. 2378: Rep(s). Armstrong as prime sponsor(s).

House Bill No. 2395: Rep(s). Walley as prime sponsor(s).

House Bill No. 2558: Rep(s). Hargett, Haley and Pleasant as prime sponsor(s).

House Bill No. 2563: Rep(s). Newton and Scroggs as prime sponsor(s).

House Bill No. 2613: Rep(s). Walker(Rhea) as prime sponsor(s).

House Bill No. 2740: Rep(s). Naifeh as prime sponsor(s).

House Bill No. 2842: Rep(s). Brown as prime sponsor(s).

House Bill No. 2853: Rep(s). Brown as prime sponsor(s).

House Bill No. 2880: Rep(s). Kent as prime sponsor(s).

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House Bill No. 2908: Rep(s). Cooper, Kernell, Haley, Hargett, Pleasant, Wood and West as prime sponsor(s).

House Bill No. 2914: Rep(s). Boyer, Buck, Curtiss, Fraley, Cross, Ferguson, Windle and McAfee as prime sponsor(s).

House Bill No. 3135: Rep(s). Walker(Rhea) as prime sponsor(s).

House Bill No. 3237: Rep(s). Miller as prime sponsor(s).

House Bill No. 3309: Rep(s). Davis as prime sponsor(s).

House Bill No. 3317: Rep(s). Head, Eckles, Cole(Dyer), Davis, U. Jones, McMillan, Buck, Turner(Shelby), Burchett, Robinson, Bittle, Fowlkes, Stamps and Towns as prime sponsor(s).

House Bill No. 3337: Rep(s). Bird as prime sponsor(s).

House Bill No. 3362: Rep(s). Hargett as prime sponsor(s).

**MESSAGE FROM THE SENATE
March 10, 1998**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 492, 494, 495, 496, 497 and 498; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 492 -- Memorials, Death - Brandon Dudley. by *Herron.

Senate Joint Resolution No. 494 -- Memorials, Personal Achievement - Philip Barfield, Eagle Scout. by *Crutchfield.

Senate Joint Resolution No. 495 -- Memorials, Sports - 1997 Trousdale County High School football team, TSSAA Division 1, Class A state champions. by *Rochelle.

Senate Joint Resolution No. 496 -- Memorials, Academic Achievement - Jack Willard Carey, III. by *Rochelle.

Senate Joint Resolution No. 497 -- Memorials, Academic Achievement - Rebecca Mungle, Salutatorian, Trousdale County High School. by *Rochelle.

Senate Joint Resolution No. 498 -- Memorials, Professional Achievement - Steve Mackie, "Trooper of the Year," Cookeville District Highway Patrol. by *Burks, *Cooper, *Kyle.

MESSAGE FROM THE GOVERNOR
March 10, 1998

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill No. 3369, per your request.

COURTNEY PEARRE, Counsel to the Governor.

MESSAGE FROM THE SENATE
March 10, 1998

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2112, 2239, 2257, 2274, 2589, 2711, 3091, 3094, 3111, 3148 and 3248; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 2112** -- Sunset Laws - Department of safety, June 30, 2004; requires comptroller of treasury to review issuance of commercial driver licenses by department. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Springer.

Senate Bill No. 2239 -- Revenue, Dept. of - Permits department to require electronic filing of returns and supporting documentation if taxpayer required to pay taxes by electronic funds transfer. Amends TCA Section 67-1-703. by *Ramsey, *Atchley.

***Senate Bill No. 2257** -- General Assembly, Directed Studies - Directs commissioner of environment and conservation to develop written report on stream bank erosion, to be delivered to general assembly by 1/15/2000. Amends TCA Title 69, Chapter 3. by *Springer.

***Senate Bill No. 2274** -- Municipal Government - Permits boards of municipalities incorporated under general law having mayor-aldermanic charter, to adopt ordinance to change from four to two year terms. Amends TCA Section 6-3-102. by *Fowler.

***Senate Bill No. 2589** -- TennCare - Extends termination date of select oversight committee on TennCare from adjournment of 1997 session until adjournment of 2001 session. Amends TCA Title 3, Chapter 15, Part 5. by *Herron.

***Senate Bill No. 2711** -- Parks, Natural Areas Preservation - Requires department of environment and conservation to create long range master plan for funding, management and development of state parks; prohibits addition of any capital projects not provided for in master plan. Amends TCA Title 11, Chapter 3. by *Gilbert.

***Senate Bill No. 3091** -- Local Government, General - Allows local governments to issue bonds for developing and maintaining business parks. Amends TCA Title 9, Chapter 21. by *Atchley, *Gilbert, *McNally, *Eisea, *Leatherwood, *Henry

Senate Bill No. 3094 -- Tennessee Housing Development Agency - Increases amount to be retained in THDA housing program fund from \$6 million to \$8 million for fiscal year ending 6/30/98. Amends TCA Section 13-23-402. by *Atchley.

***Senate Bill No. 3111** -- Assessors - Provides that municipalities shall bear pro-rata share of cost of personal property. Amends TCA Section 67-5-507. by *Womack.

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***Senate Bill No. 3148** -- Solid Waste Disposal - Provides for collection of surcharge fee on solid waste to be collected at transfer station rather than solid waste disposal facility or incinerator unless otherwise provided by contract between transfer station or facility or incinerator, only one surcharge for same solid waste. Amends TCA Section 68-211-835(d). by *Kyle.

Senate Bill No. 3248 -- Accountants - Enacts "Tennessee Accountancy Act of 1998." Amends TCA Title 62, Chapter 1. by *Atchley, *Carter, *Fowler, *Crowe, *Person, *McNally, *Kyle.

**ENROLLED BILLS
March 10, 1998**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 545, 546, 547, 548, 549, 550, 551, 553, 554 and 555; also, House Resolution(s) No(s). 151, 152, 153 and 168.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED
March 10, 1998**

The Speaker signed the following: House Joint Resolution(s) No(s). 545, 546, 547, 548, 549, 550, 551, 553, 554 and 555; also, House Resolution(s) No(s). 151, 152, 153 and 168.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR
March 10, 1998**

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2161, 2247, 2486, 2554, 2791 and 3089, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

**SIGNED
March 11, 1998**

The Speaker signed the following: Senate Bill(s) No(s). 2272

**ENROLLED BILLS
March 11, 1998**

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 2729 and 3330.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
March 11, 1998

The Speaker signed the following: House Bill(s) No(s). 2729 and 3330.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR
March 11, 1998

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2963, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

REPORT OF CHIEF ENGROSSING CLERK
March 11, 1998

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 1520, 2707, 2798, 2937, 2962, 3173 and 3371; also, House Joint Resolution(s) No(s). 497, 540, 541, 542, 543 and 544.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Joint Resolution No. 575** -- Highway Signs - "Carter-Wilson Bridge," S.R. 273 between Elkton and Prospect, Giles County. by *Fowlkes.

Transportation Committee

***House Joint Resolution No. 578** -- Highway Signs - "Thomas Brewster Memorial Highway," segment of S.R. 52, Morgan County. by *Windle.

Transportation Committee

House Joint Resolution No. 579 -- Naming and Designating - "State Employee Week," June 14-20, 1998. by *Hargrove.

Calendar & Rules Committee

***House Joint Resolution No. 580** -- General Assembly, Studies - Creates special joint committee to study effects of environmental factors on emotional and intellectual growth of infants. by *Bowers, *Turner (Shelby), *DeBerry J, *Jones U (Shelby), *Pruitt, *Langster, *Cooper B, *Towns, *Brooks.

Children & Family Affairs Committee

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***House Joint Resolution No. 581** -- Highway Signs - "R. Morris Harwell Bridge," Bradshaw Creek, U.S. 64, Giles County. by *Fowlkes.

Transportation Committee

***House Joint Resolution No. 593** -- Naming and Designating - "Frankland National Guard Armory," Jackson. by *Kisber, *McDaniel.

State & Local Government Committee

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for March 12, 1998:

House Resolution No. 170 -- Memorials, Death - Pamela Sue Douglas. by *Davidson, *West.

House Resolution No. 172 -- Memorials, Professional Achievement - Naimee Coleman. by *Patton.

House Joint Resolution No. 582 -- Memorials, Professional Achievement - Tommy Bradberry, Rural Director of the Year. by *Maddox.

House Joint Resolution No. 583 -- Memorials, Recognition and Thanks - Doyle Cagle. by *Stulce.

House Joint Resolution No. 584 -- Memorials, Sports - 1997 Baylor School girls' soccer team, TSSAA Division II state champions. by *Stulce.

House Joint Resolution No. 585 -- Memorials, Sports - 1997 Baylor School girls' golf team, TSSAA Division II state champions. by *Stulce.

House Joint Resolution No. 586 -- Memorials, Sports - 1997 Baylor School cross country team, TSSAA Division II state champions. by *Stulce.

House Joint Resolution No. 587 -- Memorials, Sports - Baylor School girls' volleyball team, 1997 TSSAA Division II state champions. by *Stulce.

House Joint Resolution No. 588 -- Memorials, Retirement - Lee Roy Kiesling. by *Maddox.

House Joint Resolution No. 589 -- Memorials, Recognition and Thanks - National Rifle Association's Eddie Eagle Gun Safety Program. by *Ford S.

House Joint Resolution No. 591 -- Memorials, Death - Wanda Martin Valentine. by *Davis R, *Whitson.

House Joint Resolution No. 592 -- Memorials, Recognition and Thanks - Newport Grammar School, 100th anniversary. by *Davidson.

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House Joint Resolution No. 594 -- Memorials, Recognition and Thanks - Emilee Jordan. by *Hood, *Eckles.

House Joint Resolution No. 595 -- Memorials, Public Service - Anathia and Fred D. Beneby, Jerry Anderson Humanitarian Award recipients. by *Hood, *Eckles.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for March 12, 1998:

Senate Joint Resolution No. 492 -- Memorials, Death - Brandon Dudley. by *Herron.

Senate Joint Resolution No. 494 -- Memorials, Personal Achievement - Philip Barfield, Eagle Scout. by *Crutchfield.

Senate Joint Resolution No. 495 -- Memorials, Sports - 1997 Trousdale County High School football team, TSSAA Division 1, Class A state champions. by *Rochelle.

Senate Joint Resolution No. 496 -- Memorials, Academic Achievement - Jack Willard Carey, III. by *Rochelle.

Senate Joint Resolution No. 497 -- Memorials, Academic Achievement - Rebecca Mungle, Salutatorian, Trousdale County High School. by *Rochelle.

Senate Joint Resolution No. 498 -- Memorials, Professional Achievement - Steve Mackie, "Trooper of the Year," Cookeville District Highway Patrol. by *Burks, *Cooper, *Kyle.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 3384 -- Bartlett - Subject to local approval, revises charter. Amends Chapter 55 of the Private Acts of 1993. by *Hargett, *Pleasant.

House Bill No. 3385 -- Roane County - Authorizes additional general sessions judge. Amends Chapter 77 of the Private Acts of 1959; as amended. by *Ferguson.

***House Bill No. 3386** -- Utilities, Utility Districts - Requires bylaws of citizens gas utility district of Scott and Morgan counties be amended, altered or repealed by 4/5 affirmative vote of membership of board of trustees voting at two consecutive monthly meetings. Amends Chapter 225 of the Public Acts of 1959, as amended. by *Windle.

House Bill No. 3387 -- Dandridge - Subject to local approval, revises charter. Amends Chapter 419 of the Acts of 1907, as amended. by *Roach.

House Bill No. 3388 -- School Districts, Special - Renames McKenzie High School District to be McKenzie Special School District; revises board membership. Amends Chapter 533 of the Private Acts of 1917. by *Phelan.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 2112** -- Sunset Laws - Department of safety, June 30, 2004; requires comptroller of treasury to review issuance of commercial driver licenses by department. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Springer.

Senate Bill No. 2239 -- Revenue, Dept. of - Permits department to require electronic filing of returns and supporting documentation if taxpayer required to pay taxes by electronic funds transfer. Amends TCA Section 67-1-703. by *Ramsey, *Atchley.

***Senate Bill No. 2257** -- General Assembly, Directed Studies - Directs commissioner of environment and conservation to develop written report on stream bank erosion, to be delivered to general assembly by 1/15/2000. Amends TCA Title 69, Chapter 3. by *Springer.

***Senate Bill No. 2274** -- Municipal Government - Permits boards of municipalities incorporated under general law having mayor-aldermanic charter, to adopt ordinance to change from four to two year terms. Amends TCA Section 6-3-102. by *Fowler.

***Senate Bill No. 2589** -- TennCare - Extends termination date of select oversight committee on TennCare from adjournment of 1997 session until adjournment of 2001 session. Amends TCA Title 3, Chapter 15, Part 5. by *Herron.

***Senate Bill No. 2711** -- Parks, Natural Areas Preservation - Requires department of environment and conservation to create long range master plan for funding, management and development of state parks; prohibits addition of any capital projects not provided for in master plan. Amends TCA Title 11, Chapter 3. by *Gilbert.

***Senate Bill No. 3091** -- Local Government, General - Allows local governments to issue bonds for developing and maintaining business parks. Amends TCA Title 9, Chapter 21. by *Atchley, *Gilbert, *McNally, *Eisea, *Leatherwood, *Henry

Senate Bill No. 3094 -- Tennessee Housing Development Agency - Increases amount to be retained in THDA housing program fund from \$6 million to \$8 million for fiscal year ending 6/30/98. Amends TCA Section 13-23-402. by *Atchley.

***Senate Bill No. 3111** -- Assessors - Provides that municipalities shall bear pro-rata share of cost of personal property. Amends TCA Section 67-5-507. by *Womack.

***Senate Bill No. 3148** -- Solid Waste Disposal - Provides for collection of surcharge fee on solid waste to be collected at transfer station rather than solid waste disposal facility or incinerator unless otherwise provided by contract between transfer station or facility or incinerator, only one surcharge for same solid waste. Amends TCA Section 68-211-835(d). by *Kyle.

Senate Bill No. 3248 -- Accountants - Enacts "Tennessee Accountancy Act of 1998." Amends TCA Title 62, Chapter 1. by *Atchley, *Carter, *Fowler, *Crowe, *Person, *McNally, *Kyle.

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 3383 -- Pulaski -- Local Bill Held on House Desk

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 10, 1998**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **March 12, 1998**: House Bill(s) No(s). 2512, 2908, 2901, 2932, 3205, 3026, 2235, 2286, 2532, 2760, 3222, 530, 2102, 2224 and 2090.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **March 16, 1998**: House Bill(s) No(s). 3248, 3027, 2623, 2662, 2292, 2187, 2996, 2997, 2043 and House Resolution No. 154.

AGRICULTURE

The Agriculture Committee recommended for passage: House Bill(s) No(s). 3102 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

COMMERCE

The Commerce Committee recommends for passage: House Bill(s) No(s). 2248, 3223; also House Bill(s) No(s). 2686, 2610, 3101, 2390, 2779, 2741, 3085, 3067, 2779 and 503 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

CONSERVATION AND ENVIRONMENT

The Conservation and Environment Committee recommended for passage: House Bill(s) No(s). 2660 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 1120 and 67 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

EDUCATION

The Education Committee recommended for passage: House Bill(s) No(s). 2900 and 2211, also House Bill(s) No(s). 2619 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2626. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

FINANCE, WAYS AND MEANS

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 2672, 2917, 3053, 2991, 3368, 2218 and 2423, also House Bill(s) No(s). 3279, 2339 and 3212 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

GOVERNMENT OPERATIONS

The Government Operations Committee recommended for passage: House Bill(s) No(s). 2349, 2350, 185, 2057, 2058, 2059 and 2060. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that House Bill(s) No(s). 2553 and 2427 be transmitted to the Education Committee, House Bill(s) No(s). 2803 be transmitted to the Consumer & Employee Affairs Committee, House Bill(s) No(s). 2784 be transmitted to the Children & Family Affairs Committee, House Bill(s) No(s). 2201 and 3237 be transmitted to the Commerce Committee, House Bill(s) No(s). 2378, 2783, 2347 and 2502 be transmitted to the Health & Human Resources Committee and House Bill(s) No(s). 3282 be transmitted to the State & Local Government Committee.

HEALTH AND HUMAN RESOURCES

The Health and Human Resources Committee recommended for passage: House Bill(s) No(s). 3176, also House Bill(s) No(s). 2768, 2733, 3001 and 2527 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

STATE AND LOCAL GOVERNMENT

The State and Local Government Committee recommended for passage: House Bill(s) No(s). 2338, 2673, 2080, 2289, 2725 and House Joint Resolution(s) No(s). 505, also House Bill(s) No(s). 2934, 3096, 2868, 2998, 3187 and 2448 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 3107, 2414 and 3312 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

It further reported that the following was/were considered but failed to pass: House Bill(s) No(s). 2625 and 2769.

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 11, 1998**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **March 16, 1998**: House Bill(s) No(s). 2916, 2656, 3142, 3278, 1281, 2822, 2360, 2683, 3183, 2514 and 2520.

The Committee also set the following bill(s) on the **Regular Calendar** for **March 30, 1998**: House Bill(s) No(s). 3012.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **March 16, 1998**: House Bill(s) No(s). 2496, 2630, 3349, 2957, 2516, House Resolution(s) No(s). 38 and House Joint Resolution(s) No(s). 525.

CHILDREN & FAMILY AFFAIRS

The Committee on Children and Family Affairs recommended for passage: House Bill(s) No(s). 3090 and 3357 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Joint Resolution(s) No(s). 426; also House Bill(s) No(s). 450 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

JUDICIARY

The Judiciary Committee recommended for passage: House Bill(s) No(s). 3167, 3054 and 2141, also House Bill(s) No(s). 3158 and House Joint Resolution(s) No(s). 477 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 3161, 2140, 3159, 2884, 2396, 3156, 3160 and 3168; also House Bill(s) No(s). 2142, 2291, 2563 and 2380 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

TRANSPORTATION

The Transportation Committee recommended for passage: House Bill(s) No(s). 2128. Under the rules, each was transmitted to the Calendar and Rules Committee.

It further recommended that the following be referred to the Finance, Ways and Means Committee: House Bill(s) No(s). 2492 with amendments. Pursuant to **Rule No. 72**, each was referred to the Finance, Ways and Means Committee.

CAPTION BILLS REFERRED
March 11, 1998

Pursuant to **Rule No. 47**, the following Caption Bill(s), 1122, 86, 87, 2234, 2796, 1463, 2571, 2912 and 135 held on the Clerk's desk were referred to the following Committee(s):

House Bill No. 1122 -- Consumer Protection -- House Consumer & Employee Affairs Committee

***House Bill No. 86** -- General Assembly -- House State & Local Government Committee

***House Bill No. 87** -- Consumer Protection -- House Consumer & Employee Affairs Committee

House Bill No. 2234 -- Taxes, Real Property -- House State & Local Government Committee

House Bill No. 2796 -- School Transportation -- House Education Committee

House Bill No. 1463 -- Taxes, Real Property -- House State & Local Government Committee

***House Bill No. 2571** -- Environmental Preservation -- House Conservation & Environment Committee

House Bill No. 2912 -- Day Care -- House Health & Human Resources Committee

***House Bill No. 135** -- Health -- House Health & Human Resources Committee

CONSENT CALENDAR

House Joint Resolution No. 572 -- Memorials, Personal Achievement - Beverly Jones, 1997 Governor's Trophy Citizen of the Year recipient. by *Boner.

House Joint Resolution No. 573 -- Memorials, Professional Achievement - Nashville YWCA, 100th Anniversary. by *Boner.

House Joint Resolution No. 576 -- Memorials, Professional Achievement - The Daily Post-Athenian, 150 years service. by *McKee.

House Joint Resolution No. 577 -- Memorials, Professional Achievement - Woods Memorial Hospital, 1998 Tennessee Quality Commitment Award. by *McKee.

By previous motion, House Joint Resolution No. 574 was removed from today's Consent Calendar and reset to the Consent Calendar for March 18, 1998.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes.....	93
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Jones U. -- 1.

A motion to reconsider was tabled.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR

***House Bill No. 2454** -- Contractors - Redefines "alarm system" and "alarm systems contractor." Amends TCA Title 62, Chapter 32, Part 3. by *Hargrove. (SB2780 by *Burks)

Rep. Hargrove moved that House Bill No. 2454 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2454 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 62-32-305, is amended by adding the following as a new subsection:

() The sale or installation of delayed egress locks by a company when such locks are used to detect and monitor the wandering of residents of a nursing home.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Hargrove moved that **House Bill No. 2454**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 94
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

***House Bill No. 2061** -- Sunset Laws - Sex offender treatment board, June 30, 2004. Amends TCA Title 4, Chapter 29 and Title 39, Chapter 13. by *Kernell, *Garrett, *Brooks. (SB2083 by *Springer)

Further consideration of House Bill No. 2061 previously considered on February 18, 1998, and reset to today's Calendar.

Rep. Kernell moved that House Bill No. 2061 be re-referred to the Committee on Calendar & Rules, which motion prevailed.

Senate Bill No. 2224 -- Commerce and Insurance, Dept. of - Permits division of regulatory boards to assess departmental costs incurred during disciplinary proceedings upon sanctioned person or entity. Amends TCA Title 56, Chapter 1, Part 3. by *Ramsey, *Atchley. (*HB2209 by *Boyer, *McDaniel)

Further consideration of Senate Bill No. 2224 previously considered on February 19, 1998, at which time the Senate Bill was substituted for the House Bill and Amendment(s) No(s). 1 and 2 were withdrawn. The bill was also considered on February 23, 1998, and reset to today's Calendar.

Rep. Boyer moved that Senate Bill No. 2224 be passed on third and final consideration.

Rep. Boyer moved adoption of Amendment No. 3 as follows:

Amendment No. 3

AMEND Senate Bill No. 2224 By deleting in the first sentence of subsection (a) of Section 1 of the printed bill the language "any disciplinary action in which sanctions" and by substituting instead the language "any disciplinary action held in accordance with the contested case provisions of title 4, chapter 5, part 3, and in which sanctions".

On motion, Amendment No. 3 was adopted.

Rep. Head moved the previous question, which motion prevailed.

Rep. Boyer moved that **Senate Bill No. 2224**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	66
Noes	23
Present and not voting	6

Representatives voting aye were: Beavers, Bird, Bittle, Bone, Boner, Boyer, Brown, Buck, Burchett, Caldwell, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Kent, Kernell, McAfee, McDaniel, McDonald, McKee, Mumpower, Newton, Patton, Phelan, Pinion, Pleasant, Rhinehart, Ridgeway, Ritchie, Roach, Robinson, Sargent, Scroggs, Sharp, Stamps, Stulce, Tindell, Walker (Blount), Walker (Rhea), Walley, Westmoreland, Williams, Wood -- 66.

Representatives voting no were: Armstrong, Arriola, Bowers, Brooks, Chumney, Cooper, DeBerry L., Ferguson, Kisber, Lewis, Maddox, Miller, Phillips, Rinks, Towns, Turner (Hamilton), Turner (Shelby), West, White, Whitson, Windle, Winningham, Mr. Speaker Naifeh -- 23.

Representatives present and not voting were: Jackson, Langster, McMillan, Odom, Pruitt, Tidwell -- 6.

A motion to reconsider was tabled.

House Joint Resolution No. 566 -- Memorials, Recognition and Thanks - Roosevelt Allen. by *Boyer.

Further consideration of House Bill No. 2395 previously considered on March 9, 1998, at which time it was objected to on the Consent Calendar and reset to today's Calendar.

On motion of Rep. Boyer, **House Joint Resolution No. 566** was withdrawn from the House.

***House Bill No. 2395** -- Alcoholic Offenses - Prohibits employees of permit holders, as well as permit holders, engaged in sale of beer from selling to minors. Amends TCA Section 57-5-301. by *Hargett. (SB2751 by *Person)

Further consideration of House Bill No. 2395 previously considered on March 9, 1998, at which time it was objected to on the Consent Calendar and reset to today's Calendar.

Rep. Hargett moved that **House Bill No. 2395** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood -- 94.

A motion to reconsider was tabled.

House Bill No. 3033 -- Securities - Requires contract of sale of callable local government bonds and other evidences of indebtedness to indicate earliest time and price at which such instruments may be called, failure to do so constitutes unfair and deceptive practice under Consumer Protection Act Amends TCA Title 9, Chapter 21. by *Hargett. (*SB3119 by *Kyle)

Rep. Hargett moved that House Bill No. 3033 be passed on third and final consideration.

Rep. Jones U. (Shelby) moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3033 by deleting subsection (b) from Section 1 of the printed bill and substituting instead the following new language:

(b) Any violation of the provisions of this section shall constitute an omission of a material fact as provided under T.C.A. § 48-2-121 of the Tennessee Securities Act of 1980.

On motion, Amendment No. 1 was adopted.

Rep. Hargett moved that **House Bill No. 3033**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

***House Bill No. 2549** -- Motor Vehicles - Redefines "abandoned vehicle" to include unclaimed vehicle for purpose of notification to owners; removes work done on motor vehicle from coverage of artisans' lien; revises procedure for enforcement of garagekeepers' lien against abandoned vehicles Amends TCA Title 55, Chapter 16, Part 1; Title 66, Chapter 14, Part 1 and Title 66, Chapter 19, Part 1. by *Eckles, *Boner. (SB2692 by *Womack)

Rep. Eckles moved that **House Bill No. 2549** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives voting no were: Buck -- 1.

A motion to reconsider was tabled.

House Bill No. 2718 -- Privacy, Confidentiality - Allows name, address and other identifying information concerning health care patient to be used in directory unless patient objects. Amends TCA Title 68, Chapter 11, Part 15. by *Eckles, *Maddox. (*SB2591 by *Herron, *Harper)

Further consideration of House Bill No. 2718 previously considered on March 9, 1998, at which time it was objected to on the Consent Calendar and reset to today's Calendar.

Rep. Eckles moved that **House Bill No. 2718** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0
Present and not voting	2

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Shelby), Walker (Blount), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

Representatives present and not voting were: Towns, Turner (Hamilton) -- 2.

A motion to reconsider was tabled.

***House Bill No. 2446** -- Liens - Denies lien to garagekeeper or towing firm against lienor for repairs made on towed vehicle unless written authorization for repairs given by lienor for such repairs. Amends TCA Section 66-19-103. by *Sharp. (SB2818 by *Crutchfield)

Rep. Sharp moved that House Bill No. 2446 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2446 By deleting in its entirety all the language following the enacting clause, and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 66-19-103, is amended by adding the following language as a new, appropriately designated subsection:

() No person, firm or entity shall have a right to a lien against a lienor, who is also the seller of such motor vehicle, for repairs made on such motor vehicle that has been towed unless the person, firm or entity making the repairs has received a written authorization from such lienor to make such repairs on the motor vehicle.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Sharp moved that **House Bill No. 2446**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	1
Present and not voting	4

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Boyer, Brooks, Brown, Burchett, Caldwell, Churnney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Ham), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Buck -- 1.

Representatives present and not voting were: Bowers, Ferguson, Lewis, Towns -- 4.

A motion to reconsider was tabled.

House Bill No. 3017 -- Tennessee Higher Education Commission - Requires submission of fingerprints to THEC by personnel of post-secondary educational institutions for criminal background checks. Amends TCA Title 49, Chapter 7, Part 20. by *Pinion. (*SB2490 by *Dixon, *Womack, *Henry, *Springer, *Harper)

Rep. Pinion moved that House Bill No. 3017 be passed on third and final consideration.

Rep. Pinion moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3017 by deleting the amendatory language of Section 1 and replacing it with the following:

(9) Require as part of the application for initial authorization of a postsecondary educational institution a full set of fingerprints of all owners and the directors of the institution to enable a criminal background investigation to be conducted. The commission shall submit the completed fingerprint card to the Tennessee bureau of investigation, which is authorized to submit the fingerprints to the federal bureau of investigation for a national criminal history record check. Dissemination of information provided to the commission as a result of this process shall be governed by Public Law 92-544.

On motion, Amendment No. 1 was adopted.

Rep. Pinion moved that **House Bill No. 3017**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0
Present and not voting	2

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives present and not voting were: Kernell, Towns -- 2.

A motion to reconsider was tabled.

House Bill No. 2850 -- Traffic Safety - Raises required age for wearing bicycle helmets from 12 to 16. Amends TCA Title 55, Chapter 52. by *Arriola, *Caldwell. (*SB2139 by *Henry)

Rep. Arriola moved that House Bill No. 2850 be passed on third and final consideration.

Rep. Head moved the previous question, which motion prevailed.

Rep. Arriola moved that **House Bill No. 2850** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	85
Noes	6
Present and not voting	5

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Haley, Halteman-Harwell, Hargrove, Hassell, Head, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kisber, Langster, Lewis, Maddox, McDaniel, McDonald, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Sargent, Scroggs, Sharp, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walley, West, Westmoreland, White, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 85.

Representatives voting no were: Gunnels, Hicks, Kernell, McKee, Walker (Rhea), Whitson -- 6.

Representatives present and not voting were: Chumney, Cooper, Hargett, McAfee, Tidwell -- 5.

A motion to reconsider was tabled.

House Bill No. 2740 -- Telecommunications - Exempts local exchange service provider with less than 100,000 access lines from paying into small and minority business assessment fund. Amends TCA Title 65, Chapter 4 and 5. by *Rinks. (*SB2803 by *Rochelle)

Rep. Rinks moved that House Bill No. 2740 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2740 by deleting the amendatory language of Section 1 and substituting instead the following:

(2) An incumbent local exchange telephone company is not required to make a contribution to the small and minority telecommunications business assistance program fund, if such incumbent:

(A) Has less than one hundred thousand (100,000) total access lines in the state;

(B) Has not voluntarily entered into an interconnection agreement with a competing telecommunications service provider; and

(C) Has not applied for a certificate to provide telecommunications services in an area outside its service area existing on June 6, 1995.

Provided, however, the authority shall calculate a contribution factor to apply to the gross receipts of other providers to generate total contributions of two million dollars (\$2,000,000) a year.

AND FURTHER AMEND by deleting Section 2 and substituting instead the following:

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it and shall apply to any required contribution for 1998 and subsequent years of the program.

On motion, Amendment No. 1 was adopted.

Rep. Rinks moved that **House Bill No. 2740**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	83
Noes	5
Present and not voting	7

Representatives voting aye were: Armstrong, Beavers, Bittle, Bone, Boner, Boyer, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McKee, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 83.

Representatives voting no were: Bird, Brooks, Cooper, Head, Turner (Shelby) -- 5.

Representatives present and not voting were: Arriola, Bowers, Brown, Kernell, McDonald, Pruitt, Towns -- 7.

A motion to reconsider was tabled.

House Bill No. 2739 -- Taxes - Establishes manner of distribution for situs based taxes in new municipal incorporations. Amends TCA Title 6, Chapter 1, Part 2; Title 6, Chapter 18, Part 1; Title 6, Chapter 30, Part 1. by *Rinks. (*SB2825 by *Ramsey)

Further consideration of House Bill No. 2739 previously considered on March 9, 1998, at which time the bill was objected to on the Consent Calendar and reset to today's Calendar.

Rep. Rinks moved that **House Bill No. 2739** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	85
Noes	7
Present and not voting	1

WEDNESDAY, MARCH 11, 1998 -- SEVENTY-SECOND LEGISLATIVE DAY

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Boyer, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, Dunn, Eckles, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Ham), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 85.

Representatives voting no were: Arriola, Bowers, Brooks, Cooper, Ferguson, Kernell, Towns -- 7.

Representatives present and not voting were: Brown -- 1.

A motion to reconsider was tabled.

***House Bill No. 2453** -- Secretary of State - Makes consistent fee structure for filing, service, and copying Amends TCA Title 8, Chapter 21, Part 2; Section 20-2-205; Section 20-2-215; Title 20, Chapter 2; Section 48-11-303(a)-(c), Section 48-51-303(a)-(c), Section 48-247-103(a)-(c), Section 61-2-1207, Section 61-1-143, Section 61-1-146 and Title 61, Chapter 1. Repeals TCA Section 67-4-412. by *Rhinehart. (SB2810 by *Crutchfield)

Further consideration of House Bill No. 2453 previously considered on March 5, 1998, at which time the House adopted Amendment No. 1, and reset to today's Calendar.

Rep. Rhinehart moved that **House Bill No. 2453**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	72
Noes	15
Present and not voting	8

Representatives voting aye were: Armstrong, Bird, Bittle, Boner, Bowers, Boyer, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Ferguson, Fitzhugh, Fowlkes, Fraley, Garrett, Givens, Gunnels, Haley, Halteman-Harwell, Hargrove, Hassell, Head, Hicks, Huskey, Jackson, Jones S., Kent, Kisber, Langster, McAfee, McDaniel, McKee, McMillan, Miller, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker (Rhea), Walley, Westmoreland, White, Whitson, Williams, Winningham, Mr. Speaker Naifeh -- 72.

Representatives voting no were: Beavers, Bone, Cooper, Dunn, Ford, Godsey, Goins, Hargett, Maddox, McDonald, Ritchie, Towns, Walker (Blount), Windle, Wood -- 15.

Representatives present and not voting were: Arriola, Brooks, Brown, Jones U., Kernell, Lewis, Odom, West -- 8.

A motion to reconsider was tabled.

House Bill No. 2613 -- Taxes, Agricultural and Open Spaces - Revises requirements for liability for rollback taxes if a sale results in property being disqualified as agricultural, forest or open space land. Amends TCA Section 67-5-1008. by *Rhinehart. (*SB2801 by *Rochelle)

Further consideration of House Bill No. 2613 previously considered on March 9, 1998, at which time it was objected to on the Consent Calendar and reset to today's Calendar.

Rep. Rhinehart moved that **House Bill No. 2613** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0
Present and not voting	2

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Churnney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Ritchie, Whitson -- 2.

A motion to reconsider was tabled.

***House Bill No. 3135** -- Managed Care Organizations - Requires non-TennCare health maintenance organizations to provide certain continuity of care and independent review entity for certain decisions by HMO. Amends TCA Title 56. by *Rhinehart. (SB3279 by *Rochelle, *Elsa)

Further consideration of House Bill No. 3135 previously considered on March 9, 1998, at which time it was objected to on the Consent Calendar and reset to today's Calendar.

Rep. Rhinehart moved that House Bill No. 3135 be passed on third and final consideration.

Rep. Odom moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 3135 by deleting the language "sixty (60) days" from the amendatory language in Section 1 wherever it appears and by substituting instead the language "twenty-four (24) months".

Rep. Rhinehart moved that Amendment No. 1 be tabled, which motion failed by the following vote:

Ayes	20
Noes	63
Present and not voting	3

Representatives voting aye were: Buck, Burchett, Cole (Carter), Curtiss, Ford, Hargrove, Head, Kent, McDaniel, Phelan, Rhinehart, Rinks, Sargent, Scroggs, Sharp, Stulce, Turner (Shelby), Walker (Rhea), Wood, Mr. Speaker Naifeh -- 20.

Representatives voting no were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Caldwell, Chumney, Cole (Dyer), Cooper, Cross, Davidson, DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Hargett, Hassell, Hood, Jackson, Jones S., Jones U., Kernell, Langster, Lewis, Maddox, McDonald, McMillan, Miller, Mumpower, Newton, Odom, Pinion, Pleasant, Pruitt, Ridgeway, Ritchie, Roach, Robinson, Stamps, Tidwell, Tindell, Towns, Turner (Hamilton), Walker (Blount), Walley, West, Westmoreland, White, Whitson, Windle, Winningham -- 63.

Representatives present and not voting were: Garrett, Patton, Williams -- 3.

Rep. Rhinehart moved that House Bill No. 3135 be re-referred to the Finance, Ways & Means Committee, which motion prevailed.

***House Bill No. 3227** -- Civil Procedure - Prohibits expenditure of public funds to change name of person in custody and care of department of correction. Amends TCA Title 29, Chapter 8. by *Kent. (SB3282 by *Burks, *Springer, *Williams, *Ramsey)

Further consideration of House Bill No. 3227 previously considered on March 9, 1998, at which time it was objected to on the Consent Calendar and reset to today's Calendar.

Rep. Kent moved that **House Bill No. 3227** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	91
Noes	4

Representatives voting aye were: Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Armstrong, Brooks, Cooper, Towns -- 4.

A motion to reconsider was tabled.

***House Bill No. 2469** -- Driver Licenses - Revises fees for restoration of driver license when person fails to pay fees for traffic violations. Amends TCA Section 16-15-713; Title 29, Chapter 9, Part 1; Section 55-12-114(c); Section 55-12-115(a); Section 55-12-129; Section 55-50-118(c) and Section 55-50-502(a)(9). by *Turner (Shelby), *Robinson, *Burchett, *Buck, *Haley, *White, *Davis R, *Arriola, *Curtiss, *Miller L. (SB2566 by *Haun)

Further consideration of House Bill No. 2469 previously considered on March 9, 1998 and reset to today's Calendar.

Rep. Turner(Shelby) moved that House Bill No. 2469 be passed on third and final consideration.

Rep. Robinson moved adoption of Transportation Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 2469 By deleting from the last sentence of the amendatory language of Section 10 the language "convictions" and by substituting instead the language "reinstatements".

On motion, Amendment No. 1 was adopted.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 2469 By deleting from subsection (f) of Section 1 the words and figures "of sixty-five dollars (\$65.00)".

On motion, Amendment No. 2 was adopted.

Rep. Turner(Shelby) moved that **House Bill No. 2469**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	1
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives voting no were: Godsey -- 1.

Representatives present and not voting were: Garrett -- 1.

A motion to reconsider was tabled.

***Senate Joint Resolution No. 403** -- General Assembly, Confirmation of Appointment - Mrs. Cherrie Holden, State Board of Education. by *Person, *Leatherwood, *Atchley, *Crowe, *Carter, *Burks, *Kyle, *Crutchfield, *Springer, *Haun, *Fowler, *McNally, *Williams, *Miller J, *Ramsey, *Cooper, *Henry, *Jordan, *Harper, *Clabough, *Cohen, *Ford J, *Elsea.

Rep. Scroggs moved that the House concur in **Senate Joint Resolution No. 403**, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 2025** -- County Boundaries - Revises boundary between Coffee and Franklin counties. by *Lewis, *Fraley. (SB2040 by *Cooper)

Senate Amendment No. 1

AMEND House Bill No. 2025 by deleting the language "The" at the beginning of Section 1 and substituting instead the language "Upon approval by a two thirds vote of the county legislative body of each county to which this act may apply, the".

by deleting the language "The" at the beginning of Section 2 and substituting instead the language "Upon approval by a two thirds vote of the county legislative body of each county to which this act may apply, the".

Rep. Lewis moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 2025**, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2116 -- Taxes, Real Property - Permits city or county to dispose of property obtained for nonpayment of property taxes to nonprofit tax exempt agency chartered to create affordable housing for needy persons. Amends TCA Section 67-5-2509. by *Fowlkes. (*SB2161 by *Womack)

Senate Amendment No. 1

AMEND House Bill No. 2116 by deleting the period at the end of subdivision (2)(B) in the amendatory language in Section 1 of the printed bill and substituting a semicolon and the word "and", and by adding the following new subdivision:

(C) The property, once constructed or restored, is conveyed to an individual or family for use as an owner-occupied residence.

AND FURTHER AMEND in the third line of subdivision (2) of the amendatory language in Section 1 of the printed bill by deleting the words "both conditions" and substituting the words "all conditions".

Rep. Fowlkes moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 2116**, which motion prevailed by the following vote:

Ayes	96
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

Representatives present and not voting were: Garrett -- 1.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

BILLS WITHDRAWN

On motion of Rep. Patton, **House Bill No. 2947** was recalled from the State & Local Government Committee and withdrawn from the House.

BILL RECALL REQUESTED

Rep. Winningham moved to recall House Bill No. 2987 from the Governor's Desk, which motion prevailed.

REFERRAL CORRECTION

House Joint Resolution No. 426 having a fiscal note of less than \$100,000, Rep. Turner(Hamilton) moved to correct the referral of the Resolution by transferring it from the Finance, Ways & Means Committee to the Committee on Calendar & Rules, which motion prevailed.

MOTION TO RE-TRANSMIT

Rep. Pruitt moved that House Bill No. 3369 be re-transmitted to the Governor, which motion prevailed.

MESSAGE FROM THE SENATE

March 11, 1998

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 571; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

March 11, 1998

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2739.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 11, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2481; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 11, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2359; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
March 11, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1740; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
March 11, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2121 and 2739; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS
March 11, 1998

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2395, 2446, 2453, 2454, 2469, 2549, 2613, 2718, 2740, 2850, 3017, 3033 and 3227, also, House Joint Resolution(s) No(s). 561, 572, 573, 576 and 577.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
March 11, 1998

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2192, 2894 and 2954; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Bill No. 2192** -- Taxes, Real Property - Specifies public records to be searched by delinquent tax attorney for giving notice to persons having interest in property to be sold are those records in offices of assessor of property, trustee and register of deeds. - Amends TCA Title 67. by *Rochelle.

Senate Bill No. 2894 -- Lobbying, Lobbyists - Exempts unpaid lobbyists from paying occupational privilege tax. - Amends TCA Sections 3-6-104 and 3-6-113. by *Henry, *Crowe.

***Senate Bill No. 2954** -- Polygraph - Prohibits polygraph examinations with respect to employment from inquiring into areas covered by the Americans with Disabilities Act; makes other administrative changes with respect to polygraph examiners. - Amends TCA Title 62, Chapter 27. by *Gilbert.

MESSAGE FROM THE SENATE
March 11, 1998

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 389 and 405; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

***Senate Joint Resolution No. 389** -- General Assembly, Directed Studies - Continues study by TACIR of tax issues mandated by SJR 139 and Public Chapter 301. by *Crutchfield.

***Senate Joint Resolution No. 405** -- Memorials, Government Officials - Urges state agencies to cease or limit use of fescue grasses on state property. by *Cooper.

MESSAGE FROM THE SENATE
March 11, 1998

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2060, 2190, 2238, 2297, 2320, 2328, 2335, 2407, 2428, 2522, 2563, 2809, 3005, 3052, 3068, 3151 and 3164; also, Senate Joint Resolution(s) No(s). 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 484, 485, 486, 487, 488, 489, 493, 502 and 507 for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE
March 11, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2729 and 3330; also, House Joint Resolution(s) No(s). 545, 546, 547, 548, 549, 550, 551, 553, 554 and 555 signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK
March 11, 1998

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 2729 and 3330; also, House Joint Resolution(s) No(s). 545, 546, 547, 548, 549, 550, 551, 553, 554 and 555.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 96

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker (Blount), Walker (Rhea), Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

RECESS MOTION

On motion of Rep. Hargrove, the House recessed until 9:00 a.m., Thursday, March 12, 1998.